

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF IOWA**

In the Matter of:

Doyle Ray Findley,

Case No. 11-00033-lmj13

Debtor(s)

February 3, 2016 Courtroom Hearing on:
Motion to Dismiss Chapter 13 (#96)

Court Reporter: Tracy A. Hamm – TA Reporting

Appearances: Elizabeth E. Goodman, Attorney for Chapter 13 Trustee
John M. VanDeVelde, Attorney for Debtor(s)**ORDER**

(date entered on docket: February 4, 2016)

It is hereby ORDERED that:

- The motion is granted and the case is dismissed. Today's record shall constitute the Court's findings and conclusions pursuant to Rules 7052 and 9014 of the Federal Rules of Bankruptcy Procedure. Service of this order on all parties in interest and the United States Trustee shall satisfy Rule 2002(f)(2) and (k) of the Federal Rules of Bankruptcy Procedure.
- The motion is granted and the case is dismissed. 11 U.S.C. section 109(g)(1), preventing debtor(s) from seeking relief under title 11 of the United States Code for 180 days, applies. Today's record shall constitute the Court's findings and conclusions pursuant to Rules 7052 and 9014 of the Federal Rules of Bankruptcy Procedure. Service of this order on all parties in interest and the United States Trustee shall satisfy Rule 2002(f)(2) and (k) of the Federal Rules of Bankruptcy Procedure.
- The motion is denied. Today's record shall constitute the Court's findings and conclusions pursuant to Rules 7052 and 9014 of the Federal Rules of Bankruptcy Procedure.
- The controversy is deemed moot because the trustee verbally withdrew the motion at the time of the hearing.
- The debtor(s) shall bring the arrearage in plan payments current by or the case shall be dismissed without further notice and hearing upon the trustee filing an affidavit of noncompliance.
- The debtor(s) shall file a notice of conversion or a modified plan / motion to modify plan after confirmation by or the case shall be dismissed without further notice and hearing upon the trustee filing an affidavit of noncompliance.
- The debtor(s) shall:
 - provide the trustee with the requested income information expense information domestic support obligation information tax returns tax refunds by .
 - file amended Schedule(s) by .
 - file an objection to Proof of Claim by .
- The matter is continued for further hearing on at in VTC Courtroom, 3rd Floor, U.S. Courthouse Annex, 110 East Court Avenue, Des Moines, Iowa and Courtroom 140, Davenport Courthouse, 131 E. 4th Street, Davenport, Iowa.
- The parties shall submit a consent order by . The attorney for the debtor(s) shall prepare the order.

/s/ Lee M. Jackwig

U.S. BANKRUPTCY JUDGE

Parties receiving this order from the Clerk of Court:
Everyone in this Chapter Case